

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

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Attorneys for Bank of America. N.A.. through

In Re:

ANNETTE SMITH and WALTER SMITH,

Debtors.

Case No.: 18-20301

Hearing Date:

Judge: CMG

Chapter: 13



Order Filed on January 7, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Recommended Local Form: ☐ Followed ☒ Modified

**ORDER VACATING STAY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: January 7, 2019

A handwritten signature in cursive script, reading "Christine M. Gravelle".  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Upon the motion of Hill Wallack LLP, attorneys for Bank of America, N.A., under through Carrington Mortgage Services, LLC, servicer and attorney-in-fact Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

Land and Premises commonly known as 5 Vicky Court, Hamilton, New Jersey and also known as Block: 2275, Lot: 14, as shown on the Tax Map of the Township of Hamilton, Mercer County and State of New Jersey.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that all communications sent by Secured Creditor in connection with proceeding against the Property, including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtors.

The Movant shall serve this Order on the Debtors, Debtors' attorney, any trustee and any other party who entered an appearance on the motion.